

**Memphis and Shelby County  
Metropolitan Government Charter Commission  
Ethics Task Force**

**Minutes  
March 18, 2010  
3:30 p.m.**

**Commission members present:**

Meade Walker, Chairman  
Julie Ellis

**Commission members absent:**

Ralph White

**Others present:**

Danny Presley, Ethics Officer/Deputy County Attorney  
Jack Payne, Jr., Assistant City Attorney  
Donna Velez, Legal Secretary

The sixth meeting was held in the Shelby County Administration Building, 160 N. Main Street, Suite 850, Mayor's Small Conference Room, Memphis, Tennessee 38103.

Chairman Meade Walker called the meeting to order at 3:33 p.m. It was determined that a quorum was present. . Chairman Walker called for a moment of silence.

The committee reviewed minutes of March 11, 2010.

**Motion:** Motion was made by Commissioner Julie Ellis and seconded by Chairman Meade Walker to accept the minutes of March 11, 2010.

**Action:** Voting--Ayes: 2. Nays-- None. Motion carried.

Commissioner Ellis read aloud the final version of *Article \_\_\_\_\_ Code of Ethics*.

**Chapter 1) STATEMENT OF INTENT**

In order to provide the citizens of Memphis and Shelby County a Metropolitan Government that demands integrity, demonstrates excellence and professionalism, provides quality representation, and acts transparently in all dealings, all duly elected and appointed citizens and employees shall be bound by the Code of Ethics established by this provision.

## **Chapter 2) ETHICS CODE**

The Metro Government Council shall, as one of its initial acts, enact the Code of Ethics ordinance which incorporates the process for ensuring the requirements set forth in this Article are adopted and enforced. The Code of Ethics shall apply to every elected or appointed person in Metro Government, whether paid or unpaid, to every employee, and to all persons employed by or representing entities which receive payments, grants or privileges from Metro Government. Such persons, by acceptance of the position, employment or funding acknowledge full understanding that violation of any of the provisions of the Code of Ethics may constitute grounds for suspension or removal from office or employment and terminate funding. Such persons shall:

1. Treat their office or employment as a public trust, by demonstrating a positive example of good citizenship and by observing the letter and spirit of the Charter of Metro Government and all applicable laws, rules and regulations; and
2. Commit to the highest ideals of honor and integrity in all public and personal relationships by conducting themselves in a manner which maintains and promotes public confidence in Metro Government; and
3. Respect the dignity and worth of public service and its social responsibility in order to promote the best interests of the public; and
4. Emphasize and practice friendly and courteous service to the public and seek to improve the quality and image of public service by being honest, fair, and respectful to others and by avoiding creating an appearance of impropriety; and
5. Never use public service to provide a personal benefit of any kind to oneself, a family member, client, or business partner or acquaintance; and
6. Disclose all personal relationships of any nature and in any instance where there could be an appearance of or a conflict of interest; and
7. Never invest or hold any investment directly or indirectly in any financial business, commercial or private transaction that creates a conflict with one's official duties or employment; and
8. Never directly or indirectly solicit, accept or receive any gift of any kind or form if it could be inferred or expected that the gift was intended to influence performance of duties or was intended as an inducement from an improper action or as a reward not otherwise permitted under Tennessee law; and
9. Never improperly influence or attempt to influence other elected or appointed officials, employees, or entities which receive public funding in performing their duties; and
10. Never use the provisions of the Code of Ethics to further frivolous claims against any other person.

### **Chapter 3) ETHICS COMMISSION; ETHICS OFFICER**

The Code of Ethics ordinance shall provide for an Ethics Commission which may assist or coordinate the training and education of public officials and employees in ethics; refer matters to appropriate enforcement agencies; and who enforcement power is limited to the Code of Ethics ordinance and this Charter. The Code of Ethics ordinance shall provide for an Ethics Officer who shall provide legal advice and direction to the Commission on matters contained in this Article and the Code of Ethics ordinance. The Ethics Officer shall have the duties and authority granted such position in the Code of Ethics ordinance.

### **Chapter 4) ACKNOWLEDGEMENT and TRAINING**

Every public official and employee shall undergo ethics training as defined in the Code of Ethics ordinance and shall acknowledge that they have received, read, understand and agree to be bound by the Code of Ethics.

### **Chapter 5) TRANSITION**

During the interim period between the effective date of this Charter and the adoption and implementation of the Ethics Ordinance, which shall be required within the first ninety (90) days of the Council being sworn into office, all public officials and employees shall be subject to the ethical standards as prescribed by the State of Tennessee as referenced in Tenn. Code Ann. Section 8-17-101 et. seq.

**Motion:** Motion was made by Commissioner Julie Ellis and seconded by Chairman Meade Walker to accept *Article* \_\_\_\_\_ *Code of Ethics*.

**Action:** Voting--Ayes: 2. Nays:-- None. Motion carried.

Meeting adjourned at 3:35 p.m. This was the final meeting of the Ethics Task Force.